IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NI *et al.*

Appl. No. 09/042,583

Filed: March 17, 1998

For: **Death Domain Containing Receptor 5**

Art Unit: 1646

Examiner: Kaufman, C.

Atty. Docket: 1488.1310002/EKS/EJH

#33
B.G.J.
7/11/02

Declaration of Jian Ni, Reiner L. Gentz, Guo-Liang Yu, and Craig A. Rosen Under 37 C.F.R. § 1.131

Commissioner for Patents
Washington, D.C. 20231

Sir:

1. We, Jian Ni, Reiner L. Gentz, Guo-Liang Yu, and Craig A. Rosen, hereby declare and state as follows:

2. We are the named inventors of the captioned application, which is assigned to Human Genome Sciences, Inc. (HGS), a Delaware Corporation which has a principle place of business at 9410 Key West Avenue, Rockville, Maryland, U.S.A. We are present or former employees of HGS. This declaration is made to establish invention of the relevant sequences described in the above-captioned application, in the United States, prior to March 12, 1997.

3. The relevant sequences were in the possession of the above-identified inventors, in the United States, prior to March 12, 1997. The following is provided as evidence to such possession. Prior to March 12, 1997, we possessed a cDNA having the designation HLYBX88. Attached hereto as Exhibit A are two redacted IRIS

electronic notebook pages[1] disclosing the relevant nucleotide sequence of the cDNA HLYBX88, which provides the basis for the foregoing demonstration.[2] The "date sequenced," redacted from Exhibit A, is prior to March 12, 1997.

4. We have read and understood 37 C.F.R. §§ 10.18 (b) and (c).

Date	Jian Ni
Date	Reiner L. Gentz
June 3, 2002	
Date	Guo-Liang Yu
Date	Craig A. Rosen

SKGF_DC1:3299.2

[1] IRIS is an electronic notebook used by HGS scientists to enter and maintain sequence data

[2] The nucleotide sequence of HLYBX88 contains additional nucleotides flanking the relevant nucleotide sequence, which have been redacted from Exhibit A.